

Chronology of Permitting Status

Interstate Brick Company
Koosharem Mine (Clay Pit)
ACT/031/002, Piute County, Utah

July 17, 1975

Received letter from U. S. Forest Service (USFS) (Ross Butler, Richfield District) notifying the Division of Oil, Gas and Mining (DOGM) that they were administering the mining activity on national forest land. Attached to the letter was a brief operating plan. They requested notice as to what our permitting status was with the operation.

July 28, 1975

Letter from Ron Daniels (DOGM) to Mr. Ross Bulter. Company operation plan forwarded by USFS should be adequate for Division permitting. Will arrange to inspect site with USFS in near future.

September 26, 1975

Inspection memo from Ron Daniels. Approximately 40 acres of disturbance. Poor erosion or sediment control. Potential hazard to the fishery in Box Creek Reservoir from sediment transport off-site. No topsoil stockpiled (two-three feet apparently available).

April 8, 1976

Interstate Brick Company (ISB) called DOGM requesting information on exploratory drilling. Rule book sent along with 20 copies MR-1 and 2, plus MR-3 and 4.

November 11, 1976

Letter from Brian Buck (DOGM) to Mr. H. P. Cahoon of ISB notifying them of DOGM inspection of Henefer Clay Pit operations.

Reminded company of obligation to file Notices of Intent (NOI) for all operations by July 1, 1977 deadline as mandated by Mined Land Reclamation Act (MLRA) of 1975.

November 18, 1976

Letter from State Lands to ISB which detailed results of an on-site visit to Koosharem Mine and identification of mining encroachment upon the right-of-way granted to USFS by the State in 1971.

Letter described corrective measures to be performed by ISB to remedy the situation. Reminded company to file Mining and Reclamation Plan (MRP) with DOGM also.

November 19, 1976

Letter from ISB (Harold Cahoon) notifying DOGM that they will prepare and submit MRP in December after work slows.

February 1, 1977

MR-1 and 2 forms filed by ISB for the Koohsarem Mine with DOGM.

August 31, 1978

Memo to file describing a visit by Mr. Bob Steele of ISB to DOGM office. ISB plans to cease operations at Koosharem Mine and begin reclamation that fall. Mr. Don Fullmer (lease holder) will assume responsibility of operation upon completion of reclamation work by ISB. Reclamation work to be detailed in a forthcoming amendment to the MRP. Mr. Fuller requesting pit remain open for potential future development. USFS supposedly agrees with proposal.

DOGM concurred with certain provisions that safety precautions, stabilization and bond must be in effect with DOGM.

October 2, 1978

Inspection memo to file (September 14, 1978) by Jim Smith. Site visit with Jim McWilliams of ISB to observe reclamation activities. Reclamation complete except for small area on USFS land with clay stockpiles remaining. USFS has released ISB from any further reclamation on-site. Don Fullmer (lease holder) is to be responsible for any further reclamation requirements. DOGM semi-satisfied with reclamation work, but want letter from ISB detailing specifics of agreement with Mr. Fullmer and assurance that Mr. Fullmer accepts responsibility for bonding.

October 2, 1978

Memo to file from Jim Smith. Robert Steele of ISB came into DOGM offices to discuss status of surety for the Long Canyon Mine and Big Cottonwood Mine. Discussed problems with Koosharem Mine and Mr. Steele committed to supply needed information.

October 19, 1978

Received copy of October 11, 1978 letter to DOGM from Bob Steele (ISB) which enclosed specific details of agreements with USFS and Mr. Fullmer (see paragraphs 2 and 3 below).

DOGM received copy of ISB Letter of Intent (dated September 10, 1978) to USFS requesting USFS supervision to begin mining and reclamation on the Fullmer property.

Also received copy of ISB request to USFS to amend the 1977 operating plan and extended through 1978. Reclamation section amended and agreement with Mr. Don Fullmer attached which details reclamation requirements of ISB by Mr. Fullmer.

October 23, 1978

DOGM receives letter from USFS (Darrell Hintze) releasing ISB from their bond. Reclamation (final) to be left up to next company who subleases from Mr. Fullmer.

December 4, 1978

Received copy of letter from Ralph Cisco of USFS to ISB that they are no longer held responsible for further reclamation and that the \$10,000 bond held by the surety company should be released.

December 27, 1978

DOGM letter to Darrel Hintze (USFS) explaining communication problems that have occurred with regard to the Koosharem Mine. Acceptance of current partial reclamation indicated, provided the lessee (Mr. Fullmer) files a bond to cover remaining reclamation costs for @ seven acres of State Lands.

Letter from Jim Smith (DOGM) to Robert Steele (ISB) informing them of need to have Mr. Fullmer file a surety bond of \$4,548 with State Lands to cover remaining reclamation costs on State Lease (seven acres) or ISB will be liable for completing reclamation.

Letter to Don Fuller detailing specifics as above and given two years to find another interested operator to recommence operations. Need to post bond.

January 18, 1979

Letter from ISB responding to DOGM letter which notified them of possible responsibility for reclamation if Fullmer defaults. They feel they are not responsible irregardless of Mr. Fullmer's actions.

January 23, 1979

Letter from John Blake (State Lands) to Mr. Fullmer threatening that leases may be cancelled if bond not posted immediately.

January 26, 1979

Received copy of letter from ISB to Don Fuller which details their position on being required to post a reclamation bond for Mr. Fuller. They feel they have done what was required of them in good faith.

January 30, 1979

Memo to file, Mr. Don Fullmer came into see DOGM about letter from State Lands. Wants DOGM staff to make another field visit in the spring before considering filing a bond or cancelling leases. He still feels ISB should file required bond. Wants DOGM to write letter to State Lands in support of his request to postpone lease withdrawal.

Jim Smith drafted letter to State Lands about the same issue (as above).

Memorandum (to Board of Oil, Gas and Mining) from Jim Smith asking for an opinion as to who, if anyone, should be responsible for posting the \$4,548 final reclamation bond for the Koosharem Clay Pit.

February 7, 1979

Letter from State Lands (John Blake) granting extension of time to perform on-site inspection of Koosharem Mine and postpone lease cancellation. Lease terms holds Mr. Fullmer ultimately responsible for reclamation.

September 6, 1979

Memo to file indicates field inspection performed August 29, 1979 by Ron Daniels and Jim Smith. Poor revegetation results indicated. Mr. Fullmer to be notified to post required bond with State Lands.

September 7, 1979

Letter to Mr. Fullmer requiring posting of bond. Board's opinion also holds him responsible. Two years to recommence operations or final reclamation required.

September 14, 1979

Letter to Mr. Fullmer from State Lands requiring posting of bond. Contestment of decision requires immediate resumption of mining operations or possibly lose lease.

October 12, 1979

Memo to file from Jim Smith concerning on-site visit with Mr. Fullmer to Koosharem Clay Mine. Mr. Fullmer adamant over Division and Board's decision to post bond. Mr. Fullmer advised to request a formal hearing before the Board as soon as possible. Possibly arrange additional reclamation work and not be required to post bond was discussed.

January 31, 1980

Letter to Mr. Fullmer from State Lands requiring immediate posting of reclamation surety. Failure to comply within 30 days may result in lease cancellation.

February 1, 1980

Letter from Jim Smith to Mr. Fullmer requesting notice of status of communication between himself and ISB on possibility of additional reclamation being done. If no response within 30 days, a notice to show cause will be issued.

February 27, 1980

Received letter from Don Fullmer describing agreement to perform additional reclamation work via ISB. They would request assistance in detail required.

February 29, 1980

Memo to file from Jim Smith. DOGM received call from Mr. Fullmer reiterating content of his February 22, 1980 letter.

March 3, 1980

Mr. Harold Cahoon of ISM called DOGM and denied willingness to go back and perform additional reclamation as Mr. Fullmer eluded to.

March 4, 1980

Letter from Harold Cahoon of ISB detailing phone conversation of previous day with DOGM. ISB feels their obligations have been performed and Mr. Fullmer is ultimately responsible, as he was informed when they were instructed to cease reclamation efforts by Mr. Fullmer.

March 17, 1980

Letter to Mr. Fullmer from DOGM which details reclamation requirements for the entire pit to be performed by Mr. Fullmer with the Division's guidance.

March 25, 1980

Visit from Mr. Fullmer to Ron Daniels wherein he indicated ISB is going to reopen the Koosharem Mine and arrangements being drawn up presently.

April 1, 1980

DOGM receives letter from Mr. Fullmer reiterating details as indicated to Mr. Daniels on March 25, 1980.

April 10, 1980

DOGM received NOI to recommence mining operations at Koosharem Clay Pit.

July 28, 1980

DOGM letter to Mr. Cahoon of ISB issuing conditional tentative approval pending that ISB provide some additional information to DOGM pursuant to letter to Robert Steele dated July 28, 1980.

DOGM letter to Mr. Robert Steele indicating deficient information required prior to DOGM consideration of final approval. Abbreviated version of MRP to be published indicating tentative approval (eight areas outlined in addition to surety).

July 29, 1980

DOGM letter to Newspaper Agency Corporation to proceed and publish abbreviated notice of Koosharem tentative approval.

August 5, 1980

Receive signed copy of surety from ISB in amount of \$23,022. No record of a response to eight deficiencies found in file.

August 15, 1980

DOGM receives copy of Soil Test Report and Fertilizer Recommendations from USU Extension Agent (Verl Bagley). One sample supplied by ISB on August 6, 1980.

February 14, 1983

DOGM letter to Mr. Cahoon from Pam Grubaugh-Littig forwarding a copy of bond estimate forms to detail costs estimates.

April 6, 1983

Letter from Mr. Garry H. Liston, Insurance Supervisor representing ISB. Enclosed were surety form, subject rider and original copy of surety changing name of the principal from Entrada Industries, Inc., Interstate Brick Division to Interstate Brick Company.

April 29, 1983

Letter from United Pacific/Reliance Insurance Company enclosing a name change rider to be filed with the bond on file.

February 6, 1984

Call from Mr. Ron Bauldwin of ISB requesting information on permitting status of their Koosharem operations.

He was of the understanding that they were permitted, but had been delinquent in providing the Annual Progress Reports for the operation. He was informed that the Division would research the files and return his call.

February 9, 1984

D. Wayne Hedberg returned call to Mr. Baldwin and discussed deficiencies still outstanding with the permitting of the Koosharem Clay Mine operation. Commitment was made by Mr. Hedberg to forward a letter to the company via Mr. Baldwin outlining the remaining deficiencies.